

BOIES, SCHILLER & FLEXNER LLP
 RICHARD J. POCKER (NV Bar No. 3568)
 300 South Fourth Street, Suite 800
 Las Vegas, NV 89101
 Telephone: (702) 382-7300
 Facsimile: (702) 382-2755
 rpocker@bsfllp.com

BOIES, SCHILLER & FLEXNER LLP
 STEVEN C. HOLTZMAN (*pro hac vice*)
 FRED NORTON (*pro hac vice*)
 KIERAN P. RINGGENBERG (*pro hac vice*)
 1999 Harrison Street, Suite 900
 Oakland, CA 94612
 Telephone: (510) 874-1000
 Facsimile: (510) 874-1460
 sholtzman@bsfllp.com
 fnorton@bsfllp.com
 kringgenberg@bsfllp.com

BINGHAM MCCUTCHEN LLP
 GEOFFREY M. HOWARD (*pro hac vice*)
 BREE HANN (*pro hac vice*)
 THOMAS S. HIXSON (*pro hac vice*)
 KRISTEN A. PALUMBO (*pro hac vice*)
 Three Embarcadero Center
 San Francisco, CA 94111-4067
 Telephone: 415.393.2000
 Facsimile: 415.393.2286
 geoff.howard@bingham.com
 thomas.hixson@bingham.com
 kristen.palumbo@bingham.com

DORIAN DALEY (*pro hac vice*)
 DEBORAH K. MILLER (*pro hac vice*)
 JAMES C. MAROULIS (*pro hac vice*)
 ORACLE CORPORATION
 500 Oracle Parkway
 M/S 5op7
 Redwood City, CA 94070
 Telephone: 650.506.4846
 Facsimile: 650.506.7114
 dorian.daley@oracle.com
 deborah.miller@oracle.com
 jim.maroulis@oracle.com

Attorneys for Plaintiffs Oracle USA, Inc.,
 Oracle America, Inc., and Oracle International
 Corp.

SHOOK, HARDY & BACON LLP
 B. Trent Webb (*pro hac vice*)
 Eric Buresh (*pro hac vice*)
 2555 Grand Boulevard
 Kansas City, Missouri 64108-2613
 Telephone: (816) 474-6550
 Facsimile: (816) 421-5547
 bwebb@shb.com
 eburesh@shb.com

Robert H. Reckers (*pro hac vice*)
 600 Travis Street, Suite 1600
 Houston, Texas 77002
 Telephone: (713) 227-8008
 Facsimile: (713) 227-9508
 rreckers@shb.com

LEWIS AND ROCA LLP
 W. West Allen (Nevada Bar. No. 5566)
 3993 Howard Hughes Parkway, Suite 600
 Las Vegas, Nevada 89169
 Tel: (702) 949-8200
 Fax: (702) 949-8398
 Wallen@LRLaw.com

GREENBERG TRAURIG
 Mark G. Tratos (Nevada Bar No. 1086)
 Brandon Roos (Nevada Bar No. 7888)
 Leslie Godfrey (Nevada Bar No. 10229)
 3773 Howard Hughes Parkway
 Suite 400 North
 Las Vegas, NV 89169
 Telephone: (702) 792-3773
 Facsimile: (702) 792-9002
 tratosm@gtlaw.com
 roosb@gtlaw.com
 godfrey1@gtlaw.com

Attorneys for Defendants Rimini Street, Inc.,
 and Seth Ravin

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, Inc., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
and SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**STIPULATION AND [PROPOSED]
ORDER RE DERIVATIVE WORKS**

Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corp.
(collectively, “Oracle” or “Plaintiffs”) and Defendants Rimini Street, Inc. (“Rimini Street”) and
Seth Ravin (“Ravin”) (together, “Rimini” or “Defendants”; together with Oracle, the “Parties”) jointly submit this Stipulation and Order.

WHEREAS,

1. Oracle’s original Complaint and its First Amended Complaint alleged that Defendants infringed certain registered copyrighted works. Out of an abundance of caution, Oracle included allegations that Defendants infringed registrations for certain predecessor versions of a given work, in case Defendants took the position that a registration for a given release protects only the incremental changes from the previous release;

2. Defendants will not contend that a registration for a given release protects only the incremental changes from the previous release;

3. Accordingly, the Parties enter into this stipulation to narrow the issues in dispute for trial, specifically, by agreeing that Oracle need not allege infringement of the predecessor registrations;

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE, through their respective counsel of record, as follows:

I. DEFINITIONS

1. The term “Relevant Oracle Software” shall refer to Oracle’s J.D. Edwards-branded enterprise software and support materials, PeopleSoft-branded enterprise software and support materials, Siebel-branded enterprise software and support materials, or Oracle database software and related support materials.

II. STIPULATIONS

2. The scope of copyright protection for each registered work listed in Exhibit A shall include all protected expression contained within that registered work, including both protected expression that is also found within a previous version of the registered work and protected expression that is not found in any previous version of the registered work. Defendants will not contend that protected expression is not covered by a registration-in-suit on the grounds that the same protected expression is also covered by a previous version of the registered work.

3. To the extent that any executed, written license to a version of Relevant Oracle Software granted by Oracle to a Rimini Street, Inc. customer listed in Exhibit B includes a limited and nonexclusive license to all or a portion of a registered work listed on Exhibit A, that limited and nonexclusive license, subject to the terms and conditions stated in the written license, shall be deemed to include all of the protected expression for the licensed portion of the registered work, including but not limited to protected expression that also exists in a previous version of the registered work. This stipulation shall not alter any other limitation, term, or condition of any written license grant by Oracle.

III. APPLICABILITY

4. This stipulation is for purposes of this action only and has no force or effect in any other proceeding or jurisdiction.

1 Dated: June 1, 2011

3 BINGHAM McCUTCHEN LLP

4 By: /s/ Geoffrey M. Howard
5 Geoffrey M. Howard (*pro hac vice*)
6 Three Embarcadero Center
7 San Francisco, CA 94111-4067
Telephone: 415.393.2000
Facsimile: 415.393.2286
geoff.howard@bingham.com

8 *Attorneys for Plaintiffs*

SHOOK, HARDY & BACON LLP

By: /s/ Robert H. Reckers
Robert H. Reckers (*pro hac vice*)
600 Travis Street, Suite 1600
Houston, Texas 77002
Telephone: (713) 227-8008
Facsimile: (731) 227-9508
rreckers@shb.com

Attorneys for Defendants

ATTESTATION OF FILER

The signatories to this document are myself and Robert Reckers and I have obtained Mr. Reckers's concurrence to file this document on his behalf.

Dated: June 1, 2011

BINGHAM McCUTCHEN LLP

By: /s/ Geoffrey M. Howard
Geoffrey M. Howard (*pro hac vice*)
Three Embarcadero Center
San Francisco, CA 94111-4067
Telephone: 415.393.2000
Facsimile: 415.393.2286
geoff.howard@bingham.com

Attorneys for Plaintiffs

IT IS SO ORDERED.

Dated: June ___, 2011

Peggy A. Leen
United States Magistrate Judge